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December 12, 2005

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: WT Docket 05-265 – Notice of *Ex Parte* Communication

Dear Ms. Dortch:

On December 7, 2005, Lynn Erwin of Alaska Communications Systems Group, Inc. ("ACS") and I met on behalf of ACS Wireless, Inc., a subsidiary of ACS, with the individuals noted below in the Wireless Telecommunications Bureau. The subject of the meeting was the need for an automatic data roaming requirement, as described in the comments filed by ACS Wireless in the above-captioned pleading. The staff asked questions about the jurisdictional basis for such a requirement, the possible scope of such a requirement, and alternatives such as market-based solutions.

ACS described its considerable investment in its wireless networks in Alaska, and its state-of-the-art CDMA technology in the state. ACS described its efforts to negotiate automatic roaming agreements with the national carriers that employ CDMA technology in states outside Alaska, so Alaska customers may access the same secure, high-speed broadband data services they enjoy on ACS's network when they are roaming in other states, and so customers of those other carriers can do the same when they visit Alaska.

ACS noted that, because of roaming arrangements ACS has reached with one national carrier, ACS's customers now have the ability to access both voice service and first-generation data service using 1xRTT technology when roaming, but the more advanced, higher-speed broadband data technology using EVDO which is available to them on ACS's network is not yet available when roaming outside Alaska. ACS observed that small carriers serving isolated geographic markets can lack negotiating leverage vis-à-vis larger carriers with national coverage. ACS described the market for secure, high-speed broadband data services as a distinct product market, in which the availability of roaming will play an important role in the development of robust competition and universally available services.

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ACS urges the Commission to exercise jurisdiction over data roaming as part of the Commission's jurisdiction over all CMRS carriers pursuant to Sections 201, 202, 206-208, and 332(c)(1) of the Communications Act (as amended), from which the Commission has not forborne. To the extent the Commission finds that mobile broadband data transmission capability is not a telecommunications service, ACS urges the Commission nevertheless to exercise jurisdiction over data roaming as part of the Commission's regulation of interstate communication by radio to ensure that all the people of the United States will have access to advanced telecommunications capability as provided in Section 706 of the Telecommunications Act of 1996.

In particular, ACS urges the Commission to adopt regulations compelling CMRS providers with comparable technologies to enter into broadband data roaming agreements for service in major trading areas ("MTAs") other than those served by the requesting service provider. Such rules would encourage carriers to invest in their own broadband data capabilities in the MTAs they serve, while extending the benefits to subscribers of advanced data services through the ability to roam ubiquitously throughout the United States.

Please address any questions concerning this matter to me.

Very truly yours,



Karen Brinkmann

cc: James Schlichting
David Furth
Nese Guendelsberger
Eli Johnson
Won Kim
Heidi Kroll
Marty Liebman
Paul Murray
Jennifer Salhus